

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**September 04, 2007**

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**COUNTY COMMISSIONERS**

**Welton G. Cadwell, Chairman**

**Jennifer Hill, Vice Chairman**

**Elaine Renick, District #2**

**Debbie Stivender, District #3**

**Linda Stewart, District #4**

**Cindy Hall, County Manager**

**Sanford A. Minkoff, County Attorney**

**James C. Watkins, Clerk to the Board**

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**DISCLAIMER**

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

**ITEMIZED AGENDA**

**September 04, 2007**

9:00 A.M.        Invocation

Pledge of Allegiance

**I.        AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

**II.      MINUTE APPROVAL**

- Tab 1      Approval of the following Minutes:  
              August 7, 2007 (Regular Meeting)  
              August 14, 2007 (Regular Meeting - Budget Workshop)

### **III.      CLERK OF COURT'S CONSENT AGENDA**

- Tab 2      Approval of Clerk of Courts' Consent Agenda (Items 1 through 10)

1.      1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.

Recommendation:      Acknowledge Receipt

2.      Monthly Distribution of Revenue Traffic/Criminal Cases, for the Month Ending July 31, 2007, in the amount of \$191,383.41. Same period, last year: \$165,639.91.

Recommendation:      Acknowledge Receipt

3.      Before the Public Service Commission – In re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

Docket No. 060368-WS, Order No. PSC-07-0638-PCO-WS, Issued August 6, 2007.

Order Granting In Part and Denying In Part Aqua Utilities Florida Inc.'s Motion For Extension Of Time To File Response To Joint Motion To Dismiss And      Request For Expedited Ruling.

Recommendation:      Acknowledge Receipt

4.      Annual Financial Audit Report for the Fiscal Year Ended September 30, 2006, for the Estates at Cherry Lake Community Development District, pursuant to Section 11.45 and Section 189.418, Florida Statutes.

Recommendation:      Acknowledge Receipt

5.      Unclaimed excess proceeds for tax deeds totaling \$84,758.88.

Recommendation:      Acknowledge Receipt

6.      Ordinances from the Town of Lady Lake, as follows:

Ordinance No. 2007-13, voluntarily annexing property being approximately 5.60 acres of land owned by Helen Henry, located at 40248 County Road 25 into the corporate limits of the Town of Lady Lake.

Ordinance No. 2007-14, pertaining to comprehensive planning in the Town of Lady Lake, amending the Town of Lady Lake Ordinance No. 81-8-(83), which established the Town of Lady Lake Comprehensive Plan, providing for a small scale Future Land Use Map amendment.

Ordinance No. 2007-15, redesignating zoning classification for certain property owned by Helen Henry, located within the town limits of the Town of Lady Lake, rezoning subject property located on County Road 25 from Lake County Ranchette to Lady Lake Planned Commercial (CP).

Ordinance No. 2007-22, providing for local implementation of the water conservation rule for landscape irrigation of the St. Johns River Water Management District; providing definitions, landscape irrigation schedule, exceptions to the schedule, variances from the specific day of the week limitations, enforcement of

the ordinance, and penalties for violation of the ordinance.

Recommendation: Acknowledge Receipt

7. Resolution No. 2007-17, from Estates at Cherry Lake Community Development District, designating dates, times, and locations for the regular meetings of the Board of Supervisors for the Estates at Cherry Lake Community Development District for Fiscal Year 2007/2008, in accordance with Section 189.417(1) of the Florida Statutes

Recommendation: Acknowledge Receipt

8. Notice Before the Florida Public Service Commission – In re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.; Docket No. 060368-WS; Order No. PSC-07-0656-PCO-WS; Issued: August 14, 2007.

Recommendation: Acknowledge Receipt

9. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for August 28, 2007, to be held at 9:00 a.m., at the Brooksville Headquarters, 2379 Broad Street, Brooksville, Florida; and Approved Minutes of the Meeting of the Governing Board, held on June 26, 2007.

Recommendation: Acknowledge Receipt

10. Copy of Lake County Water Authority Draft Tentative Budget for 2007/2008; and Notice of Budget Hearings, as follows:

Tentative Budget Hearing, at 5:05 p.m., September 12, 2007, BCC Chambers

Final Budget Hearing, at 5:05 p.m., September 26, 2007, BCC Chambers

Recommendation: Acknowledge Receipt

#### IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 19)

##### Budget

##### Tab 3

Approve Budget Change Requests and Unanticipated Revenue Resolution.

1. Budget transfer – Affordable Housing Assistance Fund, Department of Community Services. Transfer \$37,440 from Operating Supplies to Regular Salaries. On July 10, 2007, the Board of County Commissioners approved the receipt of \$5 million in grant funding for the Tornado Disaster Assistance Program. Community Services is requesting three temporary positions (not to exceed six months' duration) to assist with preparing income eligibility determinations for Tornado Housing Assistance Program clients. The total cost for three positions is \$37,440. The positions will be 30 hours per week. Funds available in the Operating Supplies account

2. **Parks Capital Projects Fund:**

To:	Improvements Other Than Buildings	\$5,601,684
From:	Improvements Other Than Buildings	\$5,601,684

**Park Impact Fee Trust Fund – North District:**

To:	Improvements Other Than Buildings	\$298,316
From:	Improvements Other Than Buildings	<u>\$298,316</u>
Total:		\$5,900,000

**Unincorporated MSTU – Parks Fund:**

To:	Improvements Other Than Buildings	\$29,777
From:	Machinery and Equipment	\$29,777

Total transfer:		<u>\$5,929,777</u>
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Budget transfer – Parks Capital Projects Fund, and Park Impact Fee Trust Fund – North District, Department of Public Works. Transfer approved budget for North Lake Community Park (\$5,900,000) into a project account from Capital Reference Code PN-0701 to assist with tracking revenues and expenditures.

Budget Transfer – Unincorporated MSTU - Parks, Department of Public Works. Transfer \$29,777 into the North Lake Community Park project to pay for Road Impact Fees associated with the North Lake Community Park planned improvements. Funds available in Machinery and Equipment from cost savings from purchases.

3. Capital Substitution – County Fire Control Fund, Department of Public Safety. Substitute \$100,000, approved for CRC FI-0731 (two used tractor trailer trucks) in Machinery and Equipment, for CRC FI-0737 (one new tractor trailer truck). Due to unexpected delays, the used trucks are no longer available. A capital substitution must now be processed to purchase one new tractor trailer truck for \$100,000. Funds available in the Machinery and Equipment account.
4. Budget transfer – General Fund, Constitutional Offices/Sheriff. Transfer \$200,000 from Contingency – Sheriff to Transfer – Law Enforcement Salaries. The Sheriff has requested to move budgeted contingency funds into Law Enforcement Salaries. Funds available in Contingency.
5. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$214 deposited into Hazardous Analysis Update Contract and provide appropriations for the disbursement for Office Supplies to support County hazardous materials emergency planning and response capabilities.

**Community Services**[Tab 4](#)

For the Board to amend the Local Housing Assistance Plan (LHAP) so as to increase the SHIP maximum awards for home repair to \$60,000 with a \$5,000 contingency and \$3,000 available for relocation expenses, and for home replacement to \$150,000 plus a \$5,000 contingency and \$3,000 available for relocation expenses; to extend home repair/replacement assistance to moderate income households; and to specify housing assistance available to extremely low income households. The maximum award increases will apply to both the Home Repair/Replacement and Disaster strategies, and will be retroactive to July 1, 2007.

**Employee Services**[Tab 5](#)

Recommend Board approval to renew Lake County's Storage Tank Liability insurance policy effective October 1, 2007.

**Environmental Services**

[Tab 6](#) Approval (1) Amendment 1: a) amending the Anthropod Control FY 2006/07 Certified Budget due to unanticipated revenue from vehicle & surplus equipment sales, and b) transferring \$2,012 from Travel & Per Diem, \$60 from Books, Dues and Pubs, and \$4,296 from Capital Outlay in order to purchase more chemicals for adulticiding and (2) Resolution recognizing unanticipated revenue from vehicle and surplus equipment sales.

[Tab 7](#) Approve Annual Certified Budgets for Arthropod Control FY 2007/08.

### **Information Technology**

[Tab 8](#) Approval of Annual Maintenance and Support Contract for Environmental Research Systems Institute, Lake County's GIS software provider.

### **Procurement**

[Tab 9](#) It is recommended that the Board approve the procurement of services and product to provide Countywide traffic stripings and markings. It has been determined by Public Works that several roads require the striping and markings. Board approval to proceed under existing contract 07-0604 with Oglesby Construction, Inc. is required.

[Tab 10](#) It is recommended that the Board award and execute the contract with Inwood Consulting Engineers, Inc. to provide stormwater engineering services for the Royal Trails Flood Study in the amount of \$394,100.

[Tab 11](#) Request approval to authorize and execute the Master Price Agreement Addendum No. S1523 with Sprint Solutions, Inc.

### **Public Works**

[Tab 12](#) Request authorization to accept the final plat for Royal Equestrian Ranch Club and all areas dedicated to the public as shown on the Royal Equestrian Ranch Club final plat, accept a letter of credit for performance in the amount of \$145,000.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Royal Equestrian Development, Inc. Royal Equestrian Ranch Club consists of 22 lots and is located in Section 28, Township 24 South, Range 26 East. Commission District 2.

[Tab 13](#) Request authorization to accept the final plat for East View Estates, and all areas dedicated to the public as shown on the East View Estates plat, accept a check in the amount of \$14,802.65, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and East View Holdings LLC and execute a resolution accepting the following road into the County Road Maintenance System: Highcrest View (Co. Road No. 7611B). East View Estates consists of 8 lots and is located in Section 14, Township 18 South, Range 24 East. Commission District 5.

[Tab 14](#) Request authorization to accept the final plat for Barrington Estates Phase 1 and all areas dedicated to the public as shown on the Barrington Estates Phase 1 final plat, accept a letter of credit for performance in the amount of \$819,862.19, and execute a Developer's Agreement for Construction of Improvements between Lake County and Barrington Estates Property Holdings, LLC. Barrington Estates Phase 1 consists of 118 lots and is located in Section 10, Township 23 South, Range 25 East. Commission District 2.

[Tab 15](#) Request authorization to release a performance bond in the amount of \$2,319,186.32, accept a maintenance bond in the amount of \$199,965.42, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and TOUSA Homes, Inc. for Lo Land Assets, LP, accept a maintenance bond in the amount of \$247,995.80, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Rose Isle Development, LLC and Greater Lakes/Sawgrass Bay Community Development District, and execute a resolution accepting the following roads into the County Road Maintenance System: Superior Boulevard 'Part' (Co. Road No. 0357), Placid Place (Co. Road No. 0357A), Starlite Street (Co. Road No. 0357D), Olympia Court (Co. Road No. 0357E), Erie Street (Co. Road No. 0357F), St. Clair Street (Co. Road No. 0357G), Tahoe Circle (Co. Road No. 0357H) and Blue Mesa Court (Co. Road No. 0357I). Greater Lakes Phase 1 consists of 153 lots and is located in Section 10, Township 24 South, Range 26 East. Commission District 2.

- [Tab 16](#) Request authorization to accept the final plat for Baywood Forest and all areas dedicated to the public as shown on the Baywood Forest final plat, accept a performance bond in the amount of \$4,395.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Baywood Village LLC. Baywood Forest consists of 16 lots and is located in Section 26, Township 19 South, Range 26 East. Commission District 3.
- [Tab 17](#) Request authorization to accept the final plat for St. James Place and all areas dedicated to the public as shown on the St. James Place final plat, accept a performance bond in the amount of \$7,757,514.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Presco Associates, LLC. St. James Place consists of 320 lots and is located in Section 23, Township 18 South, Range 24 East. Commission District 5.
- [Tab 18](#) Request authorization to accept the final plat for Saddle Hill and all areas dedicated to the public as shown on the Saddle Hill final plat, accept a performance bond in the amount of \$353,705.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Joyce F. Buchanan, As Trustee. Saddle Hill consists of 30 lots and is located in Section 34, Township 18 South, Range 24 East. Commission District 1.
- [Tab 19](#) Request authorization to accept the final plat for Garrett Place and all areas dedicated to the public as shown on the Garrett Place final plat, accept a letter of credit for performance in the amount of \$130,048.60, and execute a Developer's Agreement for Construction of Improvements between Lake County and Robert C. Granger, Jr. and Mary E. Granger. Garrett Place consists of 10 lots and is located in Section 31, Township 18 South, Range 26 East. Commission District 5.

**V. COUNTY ATTORNEY'S CONSENT AGENDA**

- [Tab 20](#) Approval to Advertise Ordinance creating Section 16-53 designating Lady Lake parcel for conservation use only.

**VI. AWARDS**

**EMPLOYEE AWARDS**

**Presentation of Award to Employees with Five Years of Service**

Rebecca McCall, Library Assistant  
Community Services/Library Services/Astor Library

**Presentation of Award to Employees with Ten Years of Service**

Mary Seiter, Animal Control Officer  
Public Safety/Animal Services

**Presentation of Award to Employees with Fifteen Years of Service**

Kay Padgett, Office Associate IV  
Employee Services

Fred Schneider, Engineering Director  
Public Works/Engineering

**Presentation of Award to Employees with Twenty Years of Service**

Marlin Stewart, Equipment Operator III  
Public Works/Road Operations/Maintenance Area I

**EMPLOYEE OF THE QUARTER**

Rob Richardson, Radio Systems Coordinator  
Public Safety, Emergency Management

## **RETIREMENT**

Tommy Leathers  
Growth Management, Code Enforcement

## **VII. PRESENTATIONS**

[Tab 21](#) Demonstration on new voting system by Supervisor of Elections.

## **VIII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

### **Budget**

[Tab 22](#) Request for approval of, and authorization for the Chairman to sign, resolutions providing for certification of the assessment roll for the Greater Hills Municipal Service Benefit Unit, Greater Groves Municipal Service Benefit Unit, Greater Pines Subdivision, Picciola Island Subdivision, Valencia Terrace Subdivision and Village Green Subdivision providing for certified copies; providing for adoption of resolution; and providing for an effective date.

### **Economic Growth And Redevelopment**

[Tab 23](#) Approval of a Jobs Growth Investment (JGI) Trust Fund award to G & T Conveyor Company, Inc. in the amount of \$66,500.00 for the creation of 21 qualifying positions paying at least 115% of the Average Annual Hourly Wage for Lake County or at least \$16.80 per hour for Manufacturing Companies. Commission District 3.

### **Growth Management**

[Tab 24](#) Make a determination on a request for refund of education impact fees paid by an applicant who was issued the exemption after the fees were paid. Commission District 2.

[Tab 25](#) Approval of resolution supporting designation of SR 40 as a Scenic Byway. Commission District 5.

### **Public Works**

[Tab 26](#) Approve agreement with The Landings At Lake Harris, LLC regarding construction of a new road from CR 448 south to serve the Lake Harris Groves development within the City of Tavares. The developer will also provide improvements to Frankies Road. Approve agreement to sell approximately 3 acres of County Property to serve this development as right of way. Commission District 3.

## **IX. PUBLIC HEARINGS**

### **PUBLIC HEARING - 5:05 P.M. or As Soon Thereafter**

[Tab 27](#) Adopt a tentative millage rate for the Lake County Countywide Levy, the Lake County Voter Approved Debt Levy, the Lake County MSTU for Ambulance and Emergency Services Levy and the Lake County MSTU for Stormwater, Parks and Roads Levy; adopt a tentative budget for the County; and announce that the final public hearing to finalize the budget and adopt the millage rates will be held on September 18, 2007 at 5:05 pm in the County Commission Chambers at the Lake County Administration Building, 315 West Main Street, Tavares, Florida.

## **X. OTHER BUSINESS**

- [Tab 28](#) Appointment of individuals to upcoming vacant positions on the Public Land Acquisition Advisory Council (PLAAC) to serve three-year terms beginning October 1, 2007.

## **XI. REPORTS**

### **A. County Attorney**

- [Tab 29](#) Approval to advertise proposed Ordinance creating Chapter 2, Article IV, entitled "Lobbying"

### **B. County Manager**

### **C. Commissioner Hill - Vice Chairman and District #1**

### **D. Commissioner Renick - District #2**

### **E. Commissioner Stivender - District #3**

### **F. Commissioner Stewart - District #4**

### **G. Commissioner Cadwell - Chairman and District #5**

## **CITIZEN QUESTION AND COMMENT PERIOD**

**At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration.**

**NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.**

**The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.**

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**Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.**

**Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.**